

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA09-0603

STATE OF MONTANA,

Plaintiff and Appellee,

v.

WILLIAM A. PARRISH,

Defendant and Appellant.

FILED

MAY 25 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

The Appellee, State of Montana, respectfully requests an extension of time until June 25, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following affidavit.

This motion is made because the attorney assigned to this case has been selected to serve on a jury in Lewis and Clark District Court, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 25th day of May, 2010.

STEVE BULLOCK
Montana Attorney General
Justice Building
P.O. Box 201401
Helena, MT 59620-1401

By: *John Paulson*
JOHN PAULSON
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing Motion
for Extension of Time to be mailed to:

Ms. Elizabeth Thomas
P.O. Box 8946
Missoula, MT 59807-8946

Mr. Michael B. Hayworth
Rosebud County Attorney
P.O. Box 69
Forsyth, MT 59327-0069

DATED: May 15, 2010 Beverly J. Solubek

STATE OF MONTANA)

: ss.

County of Lewis and Clark)

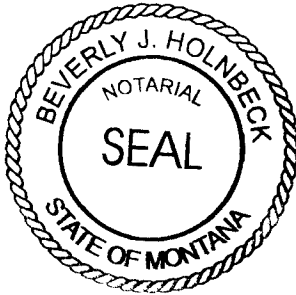
I, John Paulson, being first duly sworn upon my oath, depose and state as follows:

1. I am an Assistant Attorney General for the State of Montana and assigned to prepare the Appellee Brief in the above-entitled case.
2. I have been chosen to serve on a jury in the First Judicial District Court, Lewis and Clark County, Hon. Kathy Seeley presiding, and it is anticipated that the trial will last several days beginning May 24, 2010.
3. The Appellee's brief was originally due on April 26, 2010. This Court has previously granted the Appellee one 30-day extension of time to file its brief. The Appellee's brief is presently due on May 26, 2010.
4. During the last 30 days, I was away from the office on personal leave and out on sick leave for one week. Jury duty takes me out of the office for at least the remainder of this week, making it impossible to thoroughly research and prepare the brief in this matter within the time allotted.
5. Opposing counsel has been contacted concerning this extension and does not object.

Further your affiant sayeth naught.

John Paulson
JOHN PAULSON

SUBSCRIBED AND SWORN to before me this 25th day of May, 2010.



Beverly J. Holnbeck
Beverly J. Holnbeck
Notary Public for the State of Montana
Residing at Helena, Montana
My commission expires April 26, 2011